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June 21, 2016

Elisa W., et al. v. The City of New York, et al.15 Civ. 5273-LTS-HBP

Dear Judge Swain:

On April 13, 2016, Named Plaintiff Children and City Defendants¹ appeared at the Initial Conference before this Court. The transcript of this conference was filed on May 31, 2016, and Named Plaintiff Children subsequently filed a Notice of Intent to Redact on June 7, 2016.

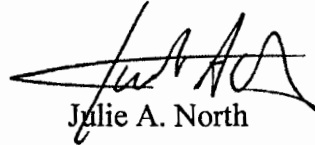
During the April 13, 2016 conference, an individual who is not party to the above-referenced action addressed the Court. In doing so, she revealed individually identifiable information about her minor child, who is in the custody of the Commissioner of ACS and a member of the putative class, as well information about a Named Plaintiff child. We believe the information disclosed would allow members of the public to identify this individual's child, as well as one of the Named Plaintiff Children. In accordance with the Amended Protective Order (*see* ECF No. 170), Named Plaintiff Children propose to redact such confidential and individually identifying material in the publicly filed version of this transcript. Named Plaintiff Children hereby submit copies of the transcript at issue: (1) without redactions for comparison, (*see* Exhibit A); and (2) showing redactions they propose to make if the Court allows, (*see* Exhibit B). Exhibit C provides a list of the proposed redactions.

Named Plaintiff Children provided their proposed redactions to City Defendants. City Defendants do not consent to the redactions but instead propose to merely redact the identity of the third party individual who spoke and the initials of the children discussed during the discovery conference. We do not believe City Defendants' proposed redactions adequately protect the identities of these minor children, and

¹ "City Defendants" refers to the City of New York, the New York City Administration for Children's Services ("ACS"), and Gladys Carrión, Commissioner of ACS, in her official capacity.

respectfully request that the Court approve the redactions proposed by Named Plaintiff Children.

Respectfully,



Julie A. North

The Honorable Laura Taylor Swain
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

BY HAND

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Encls.

The Court has reviewed the proposed redactions and the counter-proposed redactions. The Court will direct the Court Reporter to make the City's proposed redactions and, in addition, to redact the parent's name and the initials of children that appear on lines 12, 16 and 17 of page 11 of the transcript. The unredacted version is directed to be filed under seal.

SO ORDERED:



6/27/16
HON. LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE